

DRAFT

PROCEEDINGS OF THE COCHISE COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING HELD ON Wednesday, May 8, 2019

A regular board meeting of the Cochise County Planning and Zoning Commission was held on Wednesday, May 8, 2019 at 4:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Wayne Gregan, Vice Chair; Kim DePew, Member; Nathan Watkins, Member; Patrick Greene, Chairman; Jim Martzke, Member; Carmen Miller, Member

Absent: Pat Edie, Member; Gary Brauchla, Member

Staff Present: Daniel Coxworth, Development Services Director
Robert Kirschmann, Planner II
Peter Gardner, Planner II
Britt Hanson, Chief Civil Deputy Attorney

Chairman Greene called the meeting to order at 4:00 p.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

1. **CALL TO ORDER**

2. **ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).

3. **APPROVAL OF THE PREVIOUS MONTH'S MINUTES**

Motion by Member Jim Martzke, Second by Vice Chair Wayne Gregan Mr. Martzke motioned to approve the minutes, Mr. Gregan seconded. Mr. Greene called for the vote, which passed 5-0 with Mr. Watkins abstaining.

Vote: 5 - 0 Approved

4. **CALL TO THE PUBLIC** – Pursuant to A.R.S. § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on any issue within the Commission's jurisdiction. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as

a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

5. **ACTION**

1. **PUBLIC HEARING Z-19-01 & CP-19-01 (Skalak)**

Mr. Gardner presented the docket including a powerpoint presentation and other visual aids.

Mr. Robert Maloney spoke on behalf of the Applicant. There was no public comment and Mr. Maloney declined his rebuttal time.

Motion by Member Jim Martzke, Second by Vice Chair Wayne Gregan Mr. Martzke moved to forward the docket to the Board with a recommendation of Conditional Approval as recommended by Staff. Mr. Gregan seconded, and Mr. Greene called for the vote. The motion passed unanimously.

Vote: 6 - 0 Approved

2. **PUBLIC HEARING Z-19-02 and SU-19-05 (Dollar General)**

Mr. Kirschmann presented the dockets concurrently, using powerpoint and other visual aids.

Mr. Jeff Stanley spoke on behalf of the Applicant. No members of the public wished to speak, and Mr. Stanley declined his rebuttal time.

Mr. Greene congratulated the Applicant on addressing the items raised by neighbors at the previous hearing, and indicated that it had earned his support. The other commissioners agreed. Ms. Miller asked Staff to investigate the possibility of the County installing pedestrian warning signs along Mescal Road before the store opened.

Motion by Vice Chair Wayne Gregan, Second by Member Jim Martzke Mr. Gregan moved to forward the rezoning docket to the Board with a recommendation of Approval as recommended by Staff. Mr. Martzke seconded and Mr. Greene called for the vote. The motion passed unanimously.

Vote: 6 - 0 Approved

Motion by Member Jim Martzke, Second by Member Carmen Miller Mr. Martzke moved to approve the special use docket with the conditions and modifications as recommended by Staff. Ms. Miller seconded the motion and Mr. Greene called for the vote. The motion passed unanimously.

Vote: 6 - 0 Approved

3. **PUBLIC HEARING SU-19-06 (Counter Intelligence)**

Mr. Gregan recused himself from the docket, citing a conflict.

Mr. Kirschmann presented the docket using powerpoint and other visual aids.

Mr. Jonathan Montez, the Applicant, spoke regarding his request.

Mr. Greene opened the public hearing.
Mr. Larry Lane spoke in support of the request.
Ms. Debra DeRosa spoke in opposition.
Ms. Ann Aust spoke in opposition.
Ms. Linda Guintier spoke in opposition.
Ms. Annelise Tinkcom spoke in opposition.
Mr. Terrance Hogan spoke in opposition.
Mr. Montez used his rebuttal time to address several of the public concerns.
Mr. Greene closed the public hearing.
The Commission asked Mr. Kirschmann for clarification on several points of analysis.

Motion by Member Jim Martzke, Second by Member Carmen Miller Mr. Martzke moved to approve the docket with the conditions and modifications as recommended by Staff. Ms. Miller seconded the motion and Mr. Greene called for commission discussion. Mr. Watkins expressed concern with condition #4, and suggested language clarifying that the authorization would end if the Applicant transferred the property. Mr. Greene noted that such a change would require a motion to amend. That motion is captured below. After the vote on the amendment, Mr. Greene called for a vote on the amended motion, which passed unanimously, with Mr. Gregan recused.

Vote: 5 - 0 Approved

Motion by Member Nathan Watkins, Second by Member Kim DePew Mr. Watkins moved to amend the previous motion altering Condition #4 to remove the use if the property is transferred. Ms. DePew seconded the motion and Mr. Greene called for the vote. The motion to amend passed unanimously, 5-0 with Mr. Gregan recused.

Vote: 5 - 0 Approved

7. PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.

1. WORK SESSION R-19-01 (Foreclosure Registry)

Mr. Coxworth presented the work session. Commissioners asked for details about private owners and enforcement, which Mr. Coxworth provided.

8. CALL TO COMMISSIONERS ON RECENT MATTERS.

9. ADJOURNMENT

Chairman Greene adjourned the meeting at 6:13 pm.

APPROVED:

Patrick Greene, Chairman

ATTEST:

Daniel Coxworth, Development Services Director